

EXHIBIT I.9

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION MDL No. 2804
OPIATE LITIGATION Case No. 17-md-2804

This document relates to: Judge Dan
Aaron Polster

The County of Cuyahoga v. Purdue
Pharma, L.P., et al.
Case No. 17-OP-45005

City of Cleveland, Ohio vs. Purdue
Pharma, L.P., et al.
Case No. 18-OP-45132

The County of Summit, Ohio,
et al. v. Purdue Pharma, L.P.,
et al.
Case No. 18-OP-45090

Videotaped 30(b)(6) Deposition of the
Drug Enforcement Administration
through the testimony of Stacy Harper-Avilla
Washington, D.C.
April 11, 2019
9:16 a.m.

Reported by: Bonnie L. Russo
Job No. 3282688

1 A. Yes.

2 Q. Do any others come to mind after we
3 just reviewed five? Oxymorphone, for example?

4 A. Correct.

5 Q. Oxy -- I will leave it at that.

6 Now, Mr. O'Connor asked you several
7 questions about the information DEA considers
8 in setting the aggregate production quota.

9 Do you remember that testimony
10 today?

11 A. Yes.

12 Q. You testified that DEA sets each of
13 these quotas annually, correct?

14 A. Correct.

15 Q. Now, do wholesale manufacturers such
16 as McKesson, Cardinal and AmerisourceBergen
17 provide any information to DEA that is used to
18 set those quotas?

19 MR. ELSNER: Objection.

20 THE WITNESS: Quotas are not related
21 to distributors, so no.

22 BY MR. EPPICH:

23 Q. And pharmacy chains, such as CVS,
24 Walgreens, Rite Aid, Walmart, Giant Eagle, HBC,
25 they also don't provide any information to DEA

1 that is used to set the quotas, correct?

2 MR. ELSNER: Objection.

3 MR. CHANDLER: Objection.

4 THE WITNESS: The list of companies
5 you just provided do not receive quota and
6 therefore, are not considered for aggregate
7 production quotas.

8 BY MR. EPPICH:

9 Q. DEA does not consult with wholesale
10 distributors, such as McKesson, Cardinal and
11 AmerisourceBergen when DEA sets the quotas for
12 controlled substances, correct?

13 A. Correct.

14 Q. And DEA does not consult with
15 pharmacy chains, such as CVS, Walgreens, Rite
16 Aid, Walmart, Giant Eagle, HBC, when DEA sets
17 quotas for controlled substances?

18 A. Correct.

19 MR. CHANDLER: Objection.

20 BY MR. EPPICH:

21 Q. Wholesale distributors, such as
22 McKesson, Cardinal, AmerisourceBergen, they do
23 not apply for DEA -- to DEA for quotas, do
24 they?

25 MR. CHANDLER: Objection.

1 THE WITNESS: Correct.

2 BY MR. EPPICH:

3 Q. And pharmacy chains, such as CVS,
4 Walgreens, Rite Aid, Walmart, Giant Eagle, HBC,
5 they also do not apply to DEA for quotas,
6 correct?

7 MR. CHANDLER: Objection. Scope.

8 MR. ELSNER: Objection.

9 THE WITNESS: Correct.

10 BY MR. EPPICH:

11 Q. Now, DEA is required by law to
12 establish aggregate production quotas for
13 certain controlled substances, correct?

14 A. Correct.

15 Q. There are a number of statutes and
16 regulations that govern the process DEA must
17 follow and the considerations DEA must consider
18 in establishing quotas for controlled
19 substances?

20 MR. CHANDLER: Objection.

21 THE WITNESS: Correct.

22 BY MR. EPPICH:

23 Q. And DEA endeavors to comply with
24 these statutes and regulations governing the
25 establishment of quotas for controlled